

518 Rec'd PCT/PTA 25 JUL 2001  
0889938

PATENT APPLICATION/PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Kenneth Richards  
Gérard JONARD  
Hubert GUILLEY  
Cornelis M. P. VAN DUN

ATTORNEY'S DOCKET NUMBER

702-011069

PCT/EP00/00609

ENTITLED

METHOD FOR CONVEYING BNYVV RESISTANCE TO SUGAR BEET PLANTS

To **BOX PCT**

Attention: **DO/EO/US**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**EXPRESS MAIL CERTIFICATE**

"Express Mail" Label Number EL763579347US

Date of Deposit July 26, 2001

I hereby certify that the following attached paper or fee

**Transmittal Letter To The United States  
Designated/Elected Office (DO/EO/US) Concerning A  
Filing Under 35 U.S.C. 371 (original and two (2) copies)  
And Check In The Amount Of \$1606.00 For Filing Fee;**

**Letter Recognizing Attorneys (2 pp.);**

**Preliminary Amendment;**

**WO 00/44915 Front Page With Abstract, Specification, Claims, Drawings  
And Sequence Listing (30 pp.);**

**International Preliminary Examination Report With Annexes (9 pp.)**

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

K.T. Berthold

(Typed name of person mailing paper or fee)

K.T. Berthold

(Signature of person mailing paper or fee)

Form PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 10-95)		ATTORNEY'S DOCKET NUMBER <b>702-011069</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>09/889938</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP00/00609</b>	INTERNATIONAL FILING DATE <b>26.01.00 (26 January 2000)</b>	PRIORITY DATES CLAIMED <b>27.01.99 (27 January 1999)</b>
TITLE OF INVENTION <b>METHOD FOR CONVEYING BNYVV RESISTANCE TO SUGAR BEET PLANTS</b>		
APPLICANT(S) FOR DO/EO/US <b>Kenneth RICHARDS, Gérard JONARD, Hubert GUILLEY and Cornelis M. P. VAN DUN</b>		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li><input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li><input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li><input type="checkbox"/> have been transmitted by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11. to 16. below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input checked="" type="checkbox"/> Other items or information:             <ol style="list-style-type: none"> <li>WO 00/44915-Front Page with Abstract, specification, claims, drawings and sequence listing (30 pp.)</li> <li>International Preliminary Examination Report with Annexes (9 pp.)</li> </ol> </li> </ol>		

U.S. APPLICATION NO. <b>09/889938</b>		INTERNATIONAL APPLICATION NO. PCT/EP00/00609		ATTORNEY'S DOCKET NUMBER 702-011069	
---------------------------------------	--	---	--	--	--

  

17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO..... \$860.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$690.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))..... \$710.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$1000.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)..... \$100.00				CALCULATIONS PTO USE ONLY	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>\$ 860.00</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>\$ 130.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	32 - 20	12	X \$18.00	\$ 216.00	
Independent claims	8 - 3 =	5	X \$80.00	\$ 400.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$270.00	<b>\$ 0.00</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 1606.00</b>	
Reduction of 1/2 for filing by small entity, if applicable.				<b>\$ 0.00</b>	
<b>SUBTOTAL =</b>				<b>\$ 1606.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<b>\$ 0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 1606.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				<b>\$ 0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 1606.00</b>	
				Amount to be: Refunded	\$
				Charged	\$

  

a. ☒ A check in the amount of \$ **1606.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
 A duplicate copy of this sheet is enclosed.

c. ☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to  
 Deposit Account No. 23-0650. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed  
 and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:  
 Barbara E. Johnson  
 700 Koppers Building  
 436 Seventh Avenue  
 Pittsburgh, Pennsylvania 15219-1818  
 Telephone: (412) 471-8815  
 Facsimile: (412) 471-4094

SIGNATURE  
 Barbara E. Johnson  
 NAME  
 31,198  
 REGISTRATION NUMBER